

Appl. No. 10/684,663
Atty. Docket No. 7658C
Amdt. dated October 4, 2004
Reply to Office Action of July 2, 2004
Customer No. 27752

REMARKS

Claim Status

Claims 24-32 and 34-47 are pending in the present application. No additional claims fee is believed to be due.

Claims 1-23 and 33 are canceled without prejudice.

Claims 24, 36, 38, 40, 43, and 45-47 have been amended to address Office Action rejections under 35 U.S.C. § 112, second paragraph. Support for the amendments may be found as indicated below.

Claims 24 and 47 for subsection (iii): page 51, lines 30-33.

Claims 36, 38, 40 and 43: page 46, lines 10-15

Claims 45 and 47 for the builder amount: page 65, lines 29-33.

Claim 46: page 59, line 15 – page 65, line 19.

It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

Rejection Under 35 USC §112, First Paragraph

The Office Action States Claims 24-47 are rejected under 35 U.S.C. § 112, second paragraph for reciting the phrase "from about..." without indicating an upper limit. Claims 24 and 47 further recite a definition for Z which is not present in either claim.

Applicants have amended the claims to eliminate these issues.

Rejection Under 35 USC §103(a) Over Rubingh et al. (US 4,659,802) in view of WO 99/19437

The Office Action states Claims 24-32, 34, 35 and 38-47 have been rejected under 35 USC §103(a) as being unpatentable over Rubingh et al. (US 4,659,802) in view of WO 99/19437.

Applicants have amended Claims 24 and 47 and the claims dependent thereon to incorporate the limitation of Claim 33 requiring the Y units comprises at least one of the group selected from hydrogen, C₁-C₄ linear alkyl, and N(R¹)₂ and such that greater than about 40% of

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said Y units are -SO₃M units. Applicants submit that Rubingh et al. does not teach or suggest this limitation alone or in view of WO 99/19437.

Rejection Under 35 USC §103(a) Over WO 99/06519 in view of WO 99/19437

The Office Action states Claims 24-32, 34, 35 and 38-47 have been rejected under 35 USC §103(a) as being unpatentable over WO 99/06519 in view of WO 99/19437.

Applicants have amended Claims 24 and 47 and the claims dependent thereon to incorporate the limitation of Claim 33 requiring the Y units comprises at least one of the group selected from hydrogen, C₁-C₄ linear alkyl, and N(R¹)₂ and such that greater than about 40% of said Y units are -SO₃M units. Applicants submit that WO 99/06519 does not teach or suggest this limitation alone or in view of WO 99/19437.

Rejection Under 35 USC §103(a) Over Rubingh et al. (US 4,659,802) in view of Scheibel et al (US 6,593,285)

The Office Action states Claims 24-32, 34, 35 and 38-47 have been rejected under 35 USC §103(a) as being unpatentable over Rubingh et al. in view of Scheibel et al..

Applicants have amended Claims 24 and 47 and the claims dependent thereon to incorporate the limitation of Claim 33 requiring the Y units comprises at least one of the group selected from hydrogen, C₁-C₄ linear alkyl, and N(R¹)₂ and such that greater than about 40% of said Y units are -SO₃M units. Applicants submit that Rubingh et al. does not teach or suggest this limitation alone or in view of Scheibel et al..

Rejection Under 35 USC §103(a) Over WO 99/06519 in view of Scheibel et al (US 6,593,285)

The Office Action states Claims 24-32, 34, 35 and 38-47 have been rejected under 35 USC §103(a) as being unpatentable over WO 99/06519 in view of Scheibel et al..

Applicants have amended Claims 24 and 47 and the claims dependent thereon to incorporate the limitation of Claim 33 requiring the Y units comprises at least one of the group selected from hydrogen, C₁-C₄ linear alkyl, and N(R¹)₂ and such that greater than about 40% of said Y units are -SO₃M units. Applicants submit that WO 99/06519 does not teach or suggest this limitation alone or in view of Scheibel et al..

Double Patenting

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The Office Action states Claims 24-47 are rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-9 of US 6,696,401. The Office Action further states that Claims 24-47 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claim 7 of copending application no. 10/651770 and claims 25-40 of copending application no. 10/670917.

Conclusion

In light of the above remarks, it is requested that the Examiner reconsider and withdraw the rejection under 35 U.S.C. §§ 112, second paragraph, 103(a) and the judicially created doctrine of double patenting. Early and favorable action in the case is respectfully requested. If, prior to allowance, any outstanding issues exist, Applicants' attorney would welcome the opportunity to resolve such issues via a phone interview.

This response represents an earnest effort to place the application in proper form and to distinguish the invention as now claimed from the applied references. In view of the foregoing, reconsideration of this application, entry of the amendments presented herein, and allowance of Claims 24-32, and 34-47 is respectfully requested.

Respectfully Submitted,

THE PROCTER & GAMBLE COMPANY

By

Signature

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